

Jonathan Edwards, President
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August 23, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence
Unit
80 South Jefferson Road
Whippany, NJ 07891

DOCKET FILE COPY ORIGINAL

RE: FRN: 1189394 Funding Commitment Decision: Denial
FRN: 1189185 Funding Commitment Decision: Denial

SUBJECT: In the Matter of Schools and Libraries Letter of Appeal and Request
for Reversal of Funding Commitment Denial CC Docket No. 02-6

Request for Review

Dear Reviewers:

American Internet Group, LLC (hereinafter "AIG") hereby submits this request for the immediate relief (REQUEST FOR REVIEW) that will permit the Schools and Libraries division ("SLD") of the Universal Service Administrative Company to approve the funding request of Plymouth Educational Center Charter Schools FRN 1189394. The Funding Commitment Decision explanation was: 30% or more of this FRN includes a request for redundant Internet access which is an ineligible service based on program rules.

Recently, many of AIG's new project proposals have been denied based upon USAC's determination that "similarities in description on Form 470 and in selective review response among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process" as a rationale for denying AIG's applications. AIG has also been told that prior approved funds for work already approved and completed by AIG have in the above referenced projects become subject to a management review and the funds frozen in light of these unfounded allegations.

AIG respectfully denies any and all allegations of improper involvement in the competitive bidding and vendor selection. As required by USAC and FCC rules and regulations the roles for service providers are strictly to respond to bids, comply with all

No. of Copies rec'd 0
List A B C D E

certifications made on all forms, assist with the preparation of the Item 21 attachment for the Form 471 and provide answers to PIA regarding the specific products and services on FRNs. AIG has been in strict compliance with these requirements with regards to the three schools referenced in this letter and any other proposed school technology projects.

AIG has never assisted the applicant with competitive bidding process. AIG has never been a part of the bid selection process for any school except as an appropriate bidder. AIG has never provided suggested RFPs or other competitive bidding documents to applicants. AIG has never had nor responded to inquiries from PIA regarding the selection of the winning service provider. AIG has never filed a Form 470 on behalf or applicants. AIG has never been improperly involved in the competitive bidding process or vendor selection process.

AIG respectfully submits the attached documents, which refute the allegation. AIG also contends that 30% or more of this FRN does not include a request for redundant Internet access. AIG contends that there is no ineligible service included in this proposal based on program rules and submits this LETTER OF APPEAL in support of AIG's contentions. AIG reserves the right to present additional documents in support of these contentions.

AIG is a small, minority owned company. The current management review jeopardizes AIG's ability to continue operations when USAC improperly refuses to disburse over \$500,000.00 in monies owed to AIG. Over the past three years, AIG has worked with ten school districts with high poverty rates (over 75%) who have been denied.

AIG attaches to this letter a 470 certification for the David Ellis Academy (841200000488525) which is not a project approved for AIG. AIG was not chosen for the project. AIG also attaches a 470 certification for Plymouth Ed Center Charter School (858140000488832), which is a project that AIG has properly bid on to complete the technology project. Note that each application is very similar which indicates that the schools may be using some of the same professional sources to consult and assist them in applying and coordinating their proposals for the E-rate program. AIG is not a consultant, nor has it acted in a consulting capacity for any school. Nor has AIG assisted any school in the application process for the E-rate program.


In the Matter of Edumaster.net, dba Mastermind Learning Center, or Mastermind Internet Services, Order FCC 00-260 (2000), the Commission has stated that it would be contrary to the public interest if applicants are unable to receive universal service support that they may have otherwise received had "their service provider not possibly engaged in the allegedly unlawful conduct." The Commission's public interest remedy is even more appropriate in this case where there has not been one scintilla of evidence presented to USAC that AIG has engaged in misconduct related to any schools procurement process. There has been no allegation that the above-referenced schools have not complied with all rules and regulations set forth by the USAC and E-Rate Program. The

service provider AIG, in compliance with all regulations set forth by USAC and the E-Rate Program has completed all work.

AIG seeks approval of these funding requests so that the project may proceed.

I look forward to a written response to this request. I look forward to discussing these matters with you personally. In the meantime, please let us know if you have any questions.

Regards,



Jonathan Edwards, President
American Internet Group, LLC

JE:

Enclosures: Exhibits in support of Appeal

Cc: Federal Communications Commission

Office of the Secretary
445 0 12th Street, SW
Washington, DC 20554

FCC Form

Approval by OMB
3060-0806**470****Schools and Libraries Universal Service
Description of Services Requested
and Certification Form**

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application. (To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications

Form 470 Application Number: 858140000488832

Applicant's Form Identifier: pecusf04a

Application Status: CERTIFIED

Posting Date: 12/24/2003

Allowable Contract Date: 01/21/2004

Certification Received Date: 12/24/2003

1. Name of Applicant:

PLYMOUTH ED CTR CHARTER SCH

2. Funding Year:

07/01/2004 - 06/30/2005

3. Your Entity Number

54833

4a. Applicant's Street Address, P.O.Box, or Route Number

1640 EAST FOREST

City	State	Zip Code
DETROIT	MI	48207

b. Telephone number

(313) 831- 3280

c. Fax number

(313) 831- 8350

d. E-mail Address**5. Type Of Applicant**

- ☐ Individual School (individual public or non-public school)
- ☐ School District (LEA; public or non-public[e.g., diocesan] local district representing multiple schools)
- ☐ Library (including library system, library branch, or library consortium applying as a library)
- ☐ Consortium (intermediate service agencies, states, state networks, special consortia)

6a. Contact Person's Name: James E. Spruill

First, fill in every item of the Contact Person's information below that is different from Item 4, above. Then check the box next to the preferred mode of contact. (At least one box MUST be checked.)

6b. Street Address, P.O.Box, or Route Number☐ 1640 EAST FOREST

City	State	Zip Code
DETROIT	MI	48207

6c. Telephone Number (313) 831- 3280

- ☒ 6d. Fax Number (313) 831- 8350
- ☒ 6e. E-mail Address jspruill@pec.spfs.k12.mi.us

Block 2: Summary Description of Needs or Services Requested

7 This Form 470 describes (check all that apply):

- a. ☐ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.
- b. ☐ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.
- c. ☐ Services for which a new written contract is sought for the funding year in Item 2.
- d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

NOTE: Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract do NOT require filing of a Form 470.

What kinds of service are you seeking: Telecommunications Services, Internet Access, or Internal Connections? Refer to the Eligible Services List at www.sl.universalservice.org for examples. Check the relevant category or categories (8, 9, and/or 10 below), and answer the questions in each category you select.

8 ☐ Telecommunications Services

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

- a. ☐ **YES**, I have an RFP. It is available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

- b. ☐ **NO**, I do not have an RFP for these services.

If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity (e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Telecommunications Services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
Local Phone Service	at least 39 classrooms and 24 offices
Long Distance Telephone Service	at least 39 classrooms and 24 offices
Centrex/Centrex Connection Equipment/NAR	at least 39 classrooms and 24 offices
Additional Phone Lines	at least 39 classrooms and 24 offices
Conference/Custom Calling Service/Directory Assistance	at least 39 classrooms and 24 offices
Digital Transmission Service	at least 39 classrooms and 24 offices
T1/ATM/DSL/Frame Relay/ Wireless	at least 39 classrooms and 24 offices
Satellite Service	at least 39 classrooms and 24 offices
PRI/ISDN/DID/PVC	at least 39 classrooms and 24 offices
Pager	at least 39 classrooms and 24 offices
Cellular Service/PCS	at least 39 classrooms and 24 offices
Cable TV Access/ITV/VOIP	at least 39 classrooms and 24 offices

Leased Data Circuits	at least 39 classrooms and 24 offices
Video Conferencing, distance learning, Homework Hotline	at least 39 classrooms and 24 offices
Local Loops/Radio Loops	at least 39 classrooms and 24 offices
Maintenance/Installation Fees/Inside Wire maintenance	at least 39 classrooms and 24 offices
800 Service-900/976 Blocking	at least 39 classrooms and 24 offices
Basic Telephone Service	at least 39 classrooms and 24 offices
Voice Mail Solution	at least 39 classrooms and 24 offices

9 ☐ Internet Access

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

- a ☐ **YES**, I have an RFP. It is available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

- b ☐ **NO**, I do not have an RFP for these services.

If you answered **NO**, you must list below the Internet Access Services you seek. Specify each **service or function** (e.g., monthly Internet service) and quantity and/or capacity(e.g., for 500 users). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internet Access services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
T-1, DSL, 56 K Dial-Up, ISDN Line(s)	at least 39 classrooms and 24 offices
Wireless Lan Solution	at least 39 classrooms and 24 offices
ISP Fees/Service	at least 39 classrooms and 24 offices
Maintenance /Services	at least 39 classrooms and 24 offices
Programming, Configuration and Installation	at least 39 classrooms and 24 offices
Email, Web Services and DNS Services	at least 39 classrooms and 24 offices
Bundled and Unbundled Services	at least 39 classrooms and 24 offices
Leasing and Shipping Fees	at least 39 classrooms and 24 offices
Per Diem Including Travel	at least 39 classrooms and 24 offices
Firewall Service	at least 39 classrooms and 24 offices

10 ☐ Internal Connections

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

- a ☐ **YES**, I have an RFP. It is available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

- b ☐ **NO**, I do not have an RFP for these services.

If you answered **NO**, you must list below the Internal Connections Services you seek. Specify each **service or function** (e.g., local area network) and quantity and/or capacity(e.g., connecting 10 rooms and 300 computers at 56kbps or better). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internal Connections services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
Installation and Maintenance of:	
wiring/cabling/conduit/raceway/power poles/TX to	at least 39 classrooms and 24 offices
FX convert/dark fiber/equipment cabinets	
Antenna/Mast/WAP	at least 39 classrooms and 24 offices

Servers, hubs, router, switches, remote access router, CDU-DSU, monitors, storage products, tape backups, cable modem, modem	at least 39 classrooms and 24 offices
Wireless solutions and supporting service/multiplexing/transceiver	at least 39 classrooms and 24 offices
Data Racks and supporting equipment/cabinets	at least 39 classrooms and 24 offices
Installation and maintenance PBX/key System/wireless PBX interface/PVBX	at least 39 classrooms and 24 offices
Video conferencing and Distance Learning	at least 39 classrooms and 24 offices
Installation and maintenance of local area network and wireless local area network	at least 39 classrooms and 24 offices
Security, Filtering and Firewall	at least 39 classrooms and 24 offices
Systems Upgrades	at least 39 classrooms and 24 offices
Per Diem including travel	at least 39 classrooms and 24 offices
Professional Services/fees/documentation/tech support	at least 39 classrooms and 24 offices
Attendant Console/PC Attendant Console/automatic/route selection	at least 39 classrooms and 24 offices
Video master Control Unit/Media Converter	at least 39 classrooms and 24 offices
MPEG Video Converter	at least 39 classrooms and 24 offices
Multipoint Control Unit	at least 39 classrooms and 24 offices
Video Group and Desktop Equipment	at least 39 classrooms and 24 offices
Enhanced Multimedia Interface	at least 39 classrooms and 24 offices
ATM Network/edge device	at least 39 classrooms and 24 offices
Bundled Products	at least 39 classrooms and 24 offices
Back Up Power Supply/Uninterruptible Power Supply	at least 39 classrooms and 24 offices
Changes Fees/configuration charges/construction cost/contingency fees/leasing fee/freight and shipping charge	at least 39 classrooms and 24 offices
Communication Server	at least 39 classrooms and 24 offices
Frame Relay/PVC/FRAD/Voice/Fax Module	at least 39 classrooms and 24 offices
Terminal Adapter	at least 39 classrooms and 24 offices
DHCP, TCP/IP and GSP Services	at least 39 classrooms and 24 offices
Firewall Solution	at least 39 classrooms and 24 offices
Network Interface Cards (NIC's) ?	at least 39 classrooms and 24 offices

11 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name:

James E. Spruill

Title:

Technology Director

Telephone number

(313) 831 - 3280 extn: 104

Fax number

(313) 831 - 5766

E-mail Address

jspruill@pec.spfs.k12.mi.us

12. ☐ Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or provide Web address where they are posted and a contact name and telephone number for service providers without Internet access.

13. If you intend to enter into a multi-year contract based on this posting or a contract featuring an option for voluntary extensions you may provide that information below. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely timeframes).

Block 3: Technology Assessment

14. ☐ **Basic telephone service only:** If your application is for basic local and long distance telephone service (wireline or wireless) only, check this box and skip to Item 16.

15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

a. Desktop software: Software required ☐ has been purchased; and/or ☐ is being sought.

b. Electrical systems: ☐ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.

c. Computers: a sufficient quantity of computers ☐ has been purchased; and/or ☐ is being sought.

d. Computer hardware maintenance: adequate arrangements ☐ have been made; and/or ☐ are being sought.

e. Staff development: ☐ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☐ training is being sought.

f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

Block 4: Recipients of Service

16. Eligible Entities That Will Receive Services:

Check the ONE choice (a,b or c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. ☐ Individual school or single-site library.

b. ☐ Statewide application for (enter 2-letter state code) representing (check all that apply):

☐ All public schools/districts in the state:

☐ All non-public schools in the state:

☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☐ School district, library system, or consortium application to serve multiple eligible entities:

Number
of
eligible
sites

1

For these eligible sites, please provide the following

Area
Codes
(list
each
unique
area
code)

Prefixes associated with each area code
(first 3 digits of phone number)
separate with commas, leave no spaces

831

313

If your application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

17. Billed Entities

List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. Attach additional sheets if necessary.

Entity	Entity Number
PLYMOUTH ED CTR CHARTER SCH	54833

18. Ineligible Participating Entities

Does your application also seek bids on services to entities that are not eligible for the Universal Service Program? If so, list those entities here (attach pages if needed):

Ineligible Participating Entity	Area Code	Prefix
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Block 5: Certification and Signature

19. The applicant includes: (Check one or both)

- a. ☐ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges and universities).

20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:

- a. ☐ individual technology plans for using the services requested in the application, and/or
- b. ☐ higher-level technology plans for using the services requested in the application, or
- c. ☐ no technology plan needed; application requests basic local and/or long distance telephone service only.

21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):

- a. ☐ technology plan(s) has/have been approved by a state or other authorized body.
- b. ☐ technology plan(s) will be approved by a state or other authorized body.
- c. ☐ no technology plan needed; application requests basic local and long distance telephone service only.

22. ☐ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

23. ☐ I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

24. ☐ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person: ☐

26. Date (mm/dd/yyyy): 12/24/2003

27. Printed name of authorized person: Jessie E. Kilgore Jr.

28. Title or position of authorized person: Chief Academic Officer

29a. Address of authorized person: 1460 East Forest
City: Detroit State: MI Zip: 48207

29b. Telephone number of authorized person: (313) 831 - 3280 ext. 102

29c. Fax number of authorized person: (313) 8315766

29d. E-mail address number of authorized person: jekilgore@pec.spfs.k12.mi.us

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the "Service Provider Role in Assisting Customers" at www.sl.universalservice.org/vendor/manual/chapter5.doc or call the Client Service Bureau at 1-888-203-8100.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 470
P.O. Box 7026
Lawrence, Kansas 66044-7026
1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD-Form 470
c/o Ms. Smith
3833 Greenway Drive
Lawrence, Kansas 66046
1-888-203-8100**

FCC Form 470
May 2003

[New Search](#)

[Return To Search Results](#)

FCC Form

Approval by OMB
3060-0806**470**

Schools and Libraries Universal Service

Description of Services Requested

and Certification Form

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identification

Form 470 Application Number: 841200000488525

Applicant's Form Identifier: 9474700701

Application Status: **CERTIFIED**

Posting Date: 12/23/2003

Allowable Contract Date: 01/20/2004

Certification Received Date: 02/04/2004

1. Name of Applicant:**DAVID ELLIS ACADEMY****2. Funding Year:**

07/01/2004 - 06/30/2005

3. Your Entity Number

199482

by telephone or by mail to the following address:

18977 SCHAEFER HIGHWAY

City

DETROIT

State

MI

Zip Code

48235**b. Telephone number**

(313) 927- 5395

c. Fax number

(313) 927- 5376

d. E-mail Address**5. Type Of Applicant**

- ☐ Individual School (individual public or non-public school)
- ☒ School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)
- ☐ Library (including library system, library branch, or library consortium applying as a library)
- ☐ Consortium (intermediate service agencies, states, state networks, special consortia)

by telephone or by mail to the following address:

First, fill in every item of the Contact Person's information below that is different from Item 4, above.
Then check the box next to the preferred mode of contact. (At least one box **MUST** be checked.)

6b. Street Address, P.O.Box, or Route Number☐ 22750 Woodward

Suite 200

City

Ferndale

State

MI

Zip Code

48220

6c. Telephone Number (248) 582- 8100

6d. Fax Number (248) 582- 8101

6e. E-mail Address keith-gregoire@edtec.net

Block 3: Summary Description of Needs or Services Requested**7 This Form 470 describes (check all that apply):**

- a. ☒ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.
- b. ☒ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.
- c. ☒ Services for which a new written contract is sought for the funding year in Item 2.
- d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

NOTE: Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract do NOT require filing of a Form 470.

What kinds of service are you seeking: Telecommunications Services, Internet Access, or Internal Connections? Refer to the Eligible Services List at www.sl.universalservice.org for examples. Check the relevant category or categories (8, 9, and/or 10 below), and answer the questions in each category you select.

8 ☒ Telecommunications Services

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

- a. ☐ YES, I have an RFP. It is available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

- b. ☒ NO, I do not have an RFP for these services.

If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity (e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Telecommunications Services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
Local Phone Service	up to 40 classrooms and 8 offices
Long Distance Telephone Service	up to 40 classrooms and 8 offices
Centrex/Centrex Common Equipment/NAR	up to 40 classrooms and 8 offices
Additional Phone Lines	up to 40 classrooms and 8 offices
Conference/Custom Calling Service/Directory Assistance	up to 40 classrooms and 8 offices
Digital transmission service	up to 40 classrooms and 8 offices
T1/ATM/DSL/Frame Relay/Wireless etc.	up to 40 classrooms and 8 offices
Satellite Service	up to 40 classrooms and 8 offices
PRI/ISDN/DID/PVC	up to 40 classrooms and 8 offices
Pager	up to 40 classrooms and 8 offices
Cellular Service/PCS	up to 40 classrooms and 8 offices

Cable TV Access/ITV/VoIP	up to 40 classrooms and 8 offices
Leased Data Circuits	up to 40 classrooms and 8 offices
Video Conferencing, distance learning, Homework hotline	up to 40 classrooms and 8 offices
Local Loops/Radio Loops	up to 40 classrooms and 8 offices
Maintenance/Installation Fees/Inside wire maintenance	up to 40 classrooms and 8 offices
800 Service-900/976 Blocking	up to 40 classrooms and 8 offices
WAN/Wireless WAN/MAN/CAN	up to 40 classrooms and 8 offices
Basic Telephone Service	up to 40 classrooms and 8 offices
Voice Mail Solution	up to 40 classrooms and 8 offices

9 ☒ Internet Access

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

- a ☒ **YES**, I have an RFP. It is available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

- b ☒ **NO**, I do not have an RFP for these services.

If you answered **NO**, you must list below the Internet Access Services you seek. Specify each **service or function** (e.g., monthly Internet service) and quantity and/or capacity(e.g., for 500 users). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internet Access services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
T-1, DSL, 56K Dial-up, ISDN Line(s)	up to 40 classrooms and 8 offices
Wireless LAN Solution	up to 40 classrooms and 8 offices
ISP Fees/Service	up to 40 classrooms and 8 offices
Maintenance/Services	up to 40 classrooms and 8 offices
Programming, Configuration and Installation	up to 40 classrooms and 8 offices
Email, Web and DNS Services	up to 40 classrooms and 8 offices
Bundled and Unbundled Services	up to 40 classrooms and 8 offices
Leasing and Shipping Fees	up to 40 classrooms and 8 offices
Per Diem Including Travel	up to 40 classrooms and 8 offices
Firewall Service	up to 40 classrooms and 8 offices

10 ☒ Internal Connections

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

- a ☒ **YES**, I have an RFP. It is available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

- b ☒ **NO**, I do not have an RFP for these services.

If you answered **NO**, you must list below the Internal Connections Services you seek. Specify each **service or function** (e.g., local area network) and quantity and/or capacity(e.g., connecting 10 rooms and 300 computers at 56kbps or better). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internal Connections services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
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Installation and Maintenance of: wiring/cabling/conduit/raceway/power poles/TX to FX convert/dark fiber/equipment cabinets	up to 40 classrooms and 8 offices
Antenna/Mast/WAP	up to 40 classrooms and 8 offices
Servers, hubs, router, switches, remote access router, CSU-DSU, monitors, storage products, tape backup, cable modem, modem	up to 40 classrooms and 8 offices
Wireless solutions and supporting service/multiplexing/transceiver	up to 40 classrooms and 8 offices
Data Racks and supporting equipment/cabinets	up to 40 classrooms and 8 offices
Installation and maintenance PBX/key system/wireless PBX interface/PVBX	up to 40 classrooms and 8 offices
Video conferencing, distance learning	up to 40 classrooms and 8 offices
Installation and maintenance of local are network and wireless local area network	up to 40 classrooms and 8 offices
Security, Filtering and Firewall	up to 40 classrooms and 8 offices
Systems upgrades	up to 40 classrooms and 8 offices
Client access license email software/operation software	up to 40 classrooms and 8 offices
Per Diem including travel	up to 40 classrooms and 8 offices
Professional Services/fees/documentation/tech support	up to 40 classrooms and 8 offices
Attendant Console/PC attendant console/automatic/route selection	up to 40 classrooms and 8 offices
Video Master Control unit/media converter	up to 40 classrooms and 8 offices
MPEG Video Converter	up to 40 classrooms and 8 offices
Multipoint control Unit	up to 40 classrooms and 8 offices
Video Amplifiers and video channel modulators/broad band amplifier/EMMI	up to 40 classrooms and 8 offices
Video Group and Desktop Equipment	up to 40 classrooms and 8 offices
Enhanced Multimedia Interface	up to 40 classrooms and 8 offices
ATM network/edge device	up to 40 classrooms and 8 offices
Bundled Products	up to 40 classrooms and 8 offices
Back Up Power Supply/Uninterruptible Power Supply	up to 40 classrooms and 8 offices
Changes Fees/configuration charges/construction cost/contingency fees/leasing fee/freight and shipping charge	up to 40 classrooms and 8 offices
Communication Server	up to 40 classrooms and 8 offices
Frame Relay/PVC/FRAD/Voice/Fax Module	up to 40 classrooms and 8 offices
Terminal Adapter	up to 40 classrooms and 8 offices
DHCP, TCP/IP and GSP Services	up to 40 classrooms and 8 offices
Firewall Solution	up to 40 classrooms and 8 offices
Network Interface Cards (NIC)?s	up to 40 classrooms and 8 offices

11 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name:

Title:

Telephone number

0 -

Fax number

0 -

E-mail Address

12. ☐ Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or provide Web address where they are posted and a contact name and telephone number for service providers without Internet access.

13. If you intend to enter into a multi-year contract based on this posting or a contract featuring an option for voluntary extensions you may provide that information below. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely timeframes).

Eligible Technology Services

14. ☐ **Basic telephone service only:** If your application is for basic local and long distance telephone service (wireline or wireless) only, check this box and skip to Item 16.

15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

a. Desktop software: Software required ☒ has been purchased; and/or ☒ is being sought.

b. Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☒ upgrading for additional electrical capacity is being sought.

c. Computers: a sufficient quantity of computers ☒ has been purchased; and/or ☒ is being sought.

d. Computer hardware maintenance: adequate arrangements ☒ have been made; and/or ☒ are being sought.

e. Staff development: ☒ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☒ training is being sought.

f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

Eligible Recipients of Services

16. Eligible Entities That Will Receive Services:

Check the ONE choice (a,b or c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. ☒ Individual school or single-site library.

b. ☒ Statewide application for (enter 2-letter state code) representing (check all that apply):

- ☐ All public schools/districts in the state:
☐ All non-public schools in the state:
☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ **If checked, complete Item 18.**

c. ☒ School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible sites	1
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	<p>Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces</p>
313	927

If your application includes INELIGIBLE entities, check here. ☐ **If checked, complete Item 18.**

17. Billed Entities

List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. Attach additional sheets if necessary.

Entity	Entity Number
DAVID ELLIS ACADEMY	199482

18. Ineligible Participating Entities

Does your application also seek bids on services to entities that are not eligible for the Universal Service Program? If so, list those entities here (attach pages if needed):

Ineligible Participating Entity Area Code

Prefix

Director's Certification and Signature

21. The applicant includes a (check one or both)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges and universities).

21a. Does the applicant have a technology plan?

- a. ☒ individual technology plans for using the services requested in the application, and/or
- b. ☐ higher-level technology plans for using the services requested in the application, or
- c. ☐ no technology plan needed; application requests basic local and/or long distance telephone service only.

21b. Does the applicant have a technology plan approved by a state or other authorized body?

- a. ☒ technology plan(s) has/have been approved by a state or other authorized body.
- b. ☐ technology plan(s) will be approved by a state or other authorized body.
- c. ☐ no technology plan needed; application requests basic local and long distance telephone service only.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

23. ☒ I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

24. ☒ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person: ☒

26. Date (mm/dd/yyyy): 01/27/2004

27. Printed name of authorized person: MACHION MORRIS

28. Title or position of authorized person: PRINCIPAL

29a. Address of authorized person: 22750 Woodward

Suite 200

City: Ferndale State: MI Zip: 48220

29b. Telephone number of authorized person: (313) 927 - 5395

29c. Fax number of authorized person: (313) 9275376

29d. E-mail address number of authorized person: MMORRIS@DAVIDELLISACADEMY.COM

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the "Service Provider Role in Assisting Customers" at www.sl.universalservice.org/vendor/manual/chapter5.doc or call the Client Service Bureau at 1-888-203-8100.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 470
P.O. Box 7026
Lawrence, Kansas 66044-7026
1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

SLD-Form 470

c/o Ms. Smith

3833 Greenway Drive

Lawrence, Kansas 66046

1-888-203-8100

FCC Form 470

May 2003

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March 28, 2005

USAC
Letter of Appeal
80 South Jefferson Road
Whippany, New Jersey 07981

Re: FRN 1189185, 471 App #: 428762
Plymouth Educational Center Charter School, 1640 E. Forest, Detroit, MI
48207 Entity: 54833, Telephone: 313-831-3280, Fax: 313-831-5766


Dear USAC Reviewers,

This letter is to appeal your FCDL issued on March 1, 2005. In your letter you stated "similarities in description on Form 470 and in selective review response among applicants associated with this vendor indicate that vendor was improperly involved in the competitive bidding and vendor selection process" as your rationale for denying our application. Below is an explanation of why our school's Selective Review response is similar to other charter and private schools here in Southeastern Michigan.

As a Michigan mid sized charter school in the city of Detroit we work with a number of organizations for assistance on grants, partnerships, technology pilots, and other educational initiatives that benefit our student populations. These organizations include: the Michigan Association of Public School Academies (MAPSA), and the Black Alliance for Educational Options (BAEO), the Michigan Association for Computer Users in Learning (MACUL), as well as others. To this end when we received the USAC Selective Review 12 page questionnaire we asked our peers for someone with grant writing experience who had completed a Selective Review Questionnaire. Mr. Kashaka Kikelomo an advocate for better educational solutions and former principal himself, was recommended and assisted us in completing the response. American Internet Group, our selected vendor for internal connections services was in no way involved with the competitive bidding or vendor selection process.

Feel free to contact me at the school for any additional concerns at (313) 831-3280.

Respectfully,


James Spruill
Technology Director
jspruill@pec.spfs.k12.mi.us

Attachment (letter from Mr. Kikelomo explaining his relationship to our school)

MISSION STATEMENT

*"We the Plymouth
Educational Center
Community will nurture,
motivate, educate and
elevate all students by
promoting academic
excellence and responsible
citizenship."*

Petitioner Exhibit
3

FUNDING COMMITMENT REPORT

Service Provider Name: American Internet Group, LLC
Service Provider Identification Number: 143025387

Funding Request Number: 1197076
Form 471 Application Number: 431131
Form 470 Application Number: 214450000456347
Name of 471 Applicant: ACADEMY OF FLINT
Applicant Street Address: 4100 WEST COLDWATER RD
Applicant City: FLINT
Applicant State: MI
Applicant Zip: 48504
Entity Number: 221356
Name of Contact Person: Verdell Duncan
Preferred Mode of Contact: EMAIL
Contact Information: vduncan@charteracademies.com
Funding Year: 2004 (07/01/2004 - 06/30/2005)
Funding Status: Funded
Contract Number: 8506f
Services Ordered: Internal Connections
Site Identifier: 221356
Billing Account Number: (810) 789 - 9484
Allowable Vendor Selection/Contract Date: 08/06/2003
Contract Award Date: 02/01/2004
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2005
Monthly Recurring Charges: \$0.00
Portion of Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00
Annual Non-Recurring Charges: \$264918.00
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$264918.00
Total Program Year Pre-Discount Amount: \$264918.00
Applicant's Approved Discount Percentage: 90
Funding Commitment Decision: \$238426.20 - FRN approved as submitted
Technology Plan Approval Status: Approved/Pending Approval
Wave Number: 008
Applicant Letter Date: 07/20/2004

FUNDING COMMITMENT REPORT

Service Provider Name: American Internet Group, LLC
Service Provider Identification Number: 143025387

Funding Request Number: 1070727
Form 471 Application Number: 390812
Form 470 Application Number: 558270000464619
Name of 471 Applicant: COLIN POWELL ACADEMY
Applicant Street Address: 4800 COPLIN ST
Applicant City: DETROIT
Applicant State: MI
Applicant Zip: 48215-2109
Entity Number: 55044
Name of Contact Person: TRACY BARRETT
Preferred Mode of Contact: EMAIL
Contact Information: tracy26bar@aol.com
Funding Year: 2004 (07/01/2004 - 06/30/2005)
Funding Status: Funded
Contract Number: 18416
Services Ordered: Internal Connections
Site Identifier: 55044
Billing Account Number: 313-823-5791
Allowable Vendor Selection/Contract Date: 11/27/2003
Contract Award Date: 12/12/2003
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2005
Monthly Recurring Charges: \$0.00
Portion of Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00
Annual Non-Recurring Charges: \$162876.00
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$162876.00
Total Program Year Pre-Discount Amount: \$162876.00
Applicant's Approved Discount Percentage: 90
Funding Commitment Decision: \$146588.40 - FRN approved as submitted
Technology Plan Approval Status: Approved
Wave Number: 008
Applicant Letter Date: 07/20/2004

FUNDING COMMITMENT REPORT

Service Provider Name: American Internet Group, LLC
Service Provider Identification Number: 143025387

Funding Request Number: 1070249
Form 471 Application Number: 390577
Form 470 Application Number: 439460000461465
Name of 471 Applicant: EL-HAJJ MALIK EL-SHABAZZ ACAD
Applicant Street Address: 1028 W. BARNES AVENUE
Applicant City: LANSING
Applicant State: MI
Applicant Zip: 48910-0331
Entity Number: 56742
Name of Contact Person: Dr. Eugene L. Cain
Preferred Mode of Contact: EMAIL
Contact Information: cainmuddy@aol.com
Funding Year: 2004 (07/01/2004 - 06/30/2005)
Funding Status: Funded
Contract Number: n/a
Services Ordered: Internal Connections
Site Identifier: 56742
Billing Account Number: 517-267-8474
Allowable Vendor Selection/Contract Date: 11/13/2003
Contract Award Date: 12/05/2003
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2005
Monthly Recurring Charges: \$0.00
Portion of Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00
Annual Non-Recurring Charges: \$162752.00
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$162752.00
Total Program Year Pre-Discount Amount: \$162752.00
Applicant's Approved Discount Percentage: 90
Funding Commitment Decision: \$146476.80 - FRN approved as submitted
Technology Plan Approval Status: Approved
Wave Number: 008
Applicant Letter Date: 07/20/2004